

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 345

AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 6-1.1-21-10, AS AMENDED BY HEA 1040-2006, SECTION 139, AND AS AMENDED BY HEA 1134-2006, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 10. (a) There is established a property tax replacement fund board to consist of the commissioner of the department, the commissioner of the department of local government finance, the director of the budget agency, and two (2) ex officio nonvoting representatives of the general assembly of the state of Indiana. The speaker of the house of representatives shall appoint one (1) member of the house as one (1) of the ex officio nonvoting representatives, and the president pro tempore of the senate shall appoint one (1) senator as the other ex officio nonvoting representative, each to serve at the will of the appointing officer. The commissioner of the department shall be the chairman of the board, and the director of the budget agency shall be the secretary of the board.

(b) The schedule to be used in making distributions to county treasurers during the periods set forth in section 4(b) of this chapter is as follows:

January	0.00%
February	0.00%

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March	16.70%
April	16.70%
May	0.00% 6.20%
June	0.00%
July	16.60% 10.40%
August	0.00%
September	16.70%
October	16.70%
November	16.60%
December	0.00%

The board may authorize the department to distribute the estimated distributions to counties earlier than what is required under section 4(b) of this chapter.

(c) The board is also authorized to transfer funds from the property tax replacement fund for the purpose of providing state tuition support distributions to school corporations as provided in IC 20-20-33 and IC 20-43.

SECTION 2. [EFFECTIVE JULY 1, 2006] (a) The purpose of this SECTION is to reduce accrued payment delay balances that were created because of the amendment to IC 6-1.1-21-10 made by P.L.192-2002(ss), SECTION 43, to move the May distribution to July beginning with the May 2003 distribution and a continuation of the practice of delayed payments in subsequent years.

(b) There is appropriated to the property tax replacement board one hundred thirty-six million five hundred thousand dollars (\$136,500,000) from the state general fund and the property tax replacement fund, in the percentage determined by the budget agency, for its use to distribute the amount of the increase in the May 2007 distribution required under IC 6-1.1-21-10, as amended by this act, beginning July 1, 2006, and ending June 30, 2007.

(c) A distribution described in subsection (b) raises the maximum permissible distribution for property tax replacement credits and homestead credits that may be made in the state fiscal year beginning July 1, 2006, and ending June 30, 2007, by the amount of the distribution.

(d) A distribution described in subsection (b) shall be treated as a distribution under IC 6-1.1-21 for the calendar year in which the distribution is made. An early additional distribution described in subsection (b) reduces the amount of the distribution that would otherwise have been made in July 2007 under IC 6-1.1-21-10, as effective before the amendment made by this act, by the amount of the additional distribution.

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SECTION 3. [EFFECTIVE JULY 1, 2006] (a) The purpose of this SECTION is to reduce accrued payment delay balances to state educational institutions and IHETS that were created because of the distribution of eleven-twelfths (11/12) of the budgeted amount in the state fiscal year ending June 30, 2002, and a continuation of the practice of delayed payments in subsequent state fiscal years through the state fiscal year ending June 30, 2005.

(b) The following definitions apply throughout this SECTION:

(1) "IHETS" refers to the Indiana Higher Education Telecommunications System.

(2) "State educational institution" has the meaning set forth in IC 20-12-0.5-1.

(c) There is appropriated to the budget agency forty million dollars (\$40,000,000) from the state general fund for its use for general repair and rehabilitation or for repair and rehabilitation of dormitories or other student housing of state educational institutions, beginning July 1, 2006, and ending June 30, 2007, as follows:

INDIANA UNIVERSITY - TOTAL SYSTEM	\$15,667,060
PURDUE UNIVERSITY - TOTAL SYSTEM	10,795,022
INDIANA STATE UNIVERSITY	2,399,680
UNIVERSITY OF SOUTHERN INDIANA	1,225,670
BALL STATE UNIVERSITY	4,077,062
VINCENNES UNIVERSITY	1,190,030
IVY TECH COMMUNITY COLLEGE	
OF INDIANA	<u>4,645,476</u>
	\$40,000,000

(d) Notwithstanding P.L.246-2005, SECTION 32, after review by the budget committee, the budget agency shall distribute to a state educational institution after June 30, 2006, and before July 1, 2007, the amount appropriated to the state educational institution under subsection (c). The distributions under subsection (c):

(1) may be made in one (1) or more installments after June 30, 2006, and before July 1, 2007, on the schedule determined by the budget agency after review of the schedule by the budget committee; and

(2) shall be separately allotted.

(e) An appropriation under subsection (c) is in addition to the appropriations for general repair and rehabilitation made in P.L.246-2005, SECTION 32, or any other law. Notwithstanding any other law, an appropriation under subsection (c) does not revert to the general fund under IC 4-13-2-19.

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(f) The amount appropriated under subsection (c), when distributed to a state educational institution, shall be treated as reducing any claim that the total system of the state educational institution has to one-twelfth (1/12) of the amount budgeted for the state educational institution in all line items in HEA 1001-2003, SECTION 9, for the state fiscal year ending June 30, 2005. Subject to subsection (g), the amount of the claim reduction for each state educational institution is equal to the amount distributed to the state educational institution. The amount of the claim reduction for the entire system and the amount apportioned for each institution individually shall be computed by the budget agency. The budget agency makes the final determination.

(g) An amount appropriated under subsection (c), when distributed to Indiana University, shall be treated as reducing any claim that IHETS has to one-twelfth (1/12) of the amount budgeted for the IHETS in all line items in HEA 1001-2003, SECTION 9, for the state fiscal year ending June 30, 2005. The amount of the claim reduction is a part of the amount distributed to Indiana University-Total System apportioned as determined by the budget agency.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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